

2023-1162

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

**ASOCIACION DE EXPORTADORES E INDUSTRIALES DE ACEITUNAS
DE MESA, AGRO SEVILLA ACEITUNAS S. COOP. AND., ANGEL
CAMACHO ALIMENTACION, S.L.,**

Plaintiffs-Appellants

ACEITUNAS GUADALQUIVIR, S.L.U.,

Plaintiff

v.

UNITED STATES, COALITION FOR FAIR TRADE IN RIPE OLIVES,

Defendants-Appellees

Appeal from United States Court of International Trade
Court Nos. 1:18-cv-00195-GSK, Judge Gary S. Katzmman

**PLAINTIFFS-APPELLANTS' UNOPPOSED MOTION TO WAIVE
REQUIREMENTS OF BRIEF**

Pursuant to Rule 27 of the Federal Rules of Appellate Procedure, Plaintiffs-Appellants, Asociación de Exportadores E Industriales de Aceitunas de Mesa, Agro Sevilla Aceitunas S. Coop. and Angel Camacho Alimentación, S.L., (collectively "ASEMESA") respectfully request that the Court enlarge the word limit applicable to their reply in this appeal by 1,500 words to a limit of not more

than 8,500 words. The reply brief is currently due on April 17, 2023 and is limited to 7,000 words.

ASEMESA conferred with counsel for the United States and the Coalition for Fair Trade in Ripe Olives on April 11, 2023. Tara Hogan, counsel for the United states, stated that the United States does not oppose the motion and Raymond Paretzky, counsel for the Coalition for Fair Trade in Ripe Olives, stated that Musco takes no position on the motion.

Good cause exists to grant ASEMESA's requested enlargement of the word limit because of the complexity of the issues presented in this appeal and the fact-specific nature of the arguments raised by the other parties. Additionally, ASEMESA is responding to two briefs, one submitted by the United States as well as a separate brief submitted by the Coalition for Fair Trade in Ripe Olives. The opposing briefs total 89 pages and each raise distinct arguments regarding the legal and factual aspects of the Department of Commerce's underlying administrative determination and the three opinions by the Court of International Trade that give rise to this appeal. Granting the modest enlargement ASEMESA requests will enable us to better assist the Court in reviewing the issues raised.

Respectfully submitted,

/s/ Matthew P. McCullough

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April 11, 2023

Counsel for ASEMESSA et al.

CERTIFICATE OF COMPLIANCE

Pursuant to Rule 27(d)(2)(A) of the Rules of the United States Court of Appeals for the Federal Circuit, respondent's counsel certifies that this motion complies with the Court's type-volume limitation rules. According to the word count calculated by the word processing system with which this motion was prepared, the motion contains a total of 261 words.

Dated: April 11, 2023

Respectfully submitted,

/s/ Matthew P. McCullough

FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 2023-1162

Short Case Caption Asociacion de Exportadores e Industriales v. US

Filing Party/Entity Asociacion de Exportadores e Industriales de Aceitunas de Mesa; Agro Sevilla Aceitunas S. Coop. And.; Angel Camacho Alimentacion, S.L.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 4/11/2023

Signature: /s/ Matthew P. McCullough

Name: Matthew P. McCullough

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input type="checkbox"/> None/Not Applicable
Asociacion de Exportadores e Industriales de Aceitunas de Mesa		
Agro Sevilla Aceitunas S. Coop. And.		
Angel Camacho Alimentacion, S.L.		

☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☒ None/Not Applicable ☐ Additional pages attached

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☐ Yes (file separate notice; see below) ☐ No ☒ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable ☐ Additional pages attached
